IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

Bail Appl..No. 7014 of 2007()

CRMP.3589/2007 of II ADDL. DISTRICT COURT, KOLLAM
CRIME NO.366/07 OF PATHANAPURAM POLICE STATION

.....

PETITIONER/ACCUSED NO.2

SOMARAJAN NAIR, AGED 52 YEARS,
S/O. GOPALA PILLAI, RAJ BHAVAN, KARIMPALLOOR,
MALOOR MURI, PATTAZHYVADAKKEKARA VILLAGE.

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENTS: COMPLAINANT/STATE

---

1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
PATHANAPURAM POLICE STATION, PATHANAPURAM.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 7014 of 2007

Dated this the 20th day of November, 2007

ORDER

Application for regular bail. The petitioner faces allegations under Sec.20(b) of the NDPS Act. He was allegedly found to be in possession of 16 Kgs. of ganja on 5/9/07. He was arrested and continues in custody from that date. Investigation is in progress. Final report has not been filed so far. The quantity of contraband article seized is neither commercial quantity nor small quantity.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer, the period of 60 days having already elapsed from the date of the first remand and the final report having not been filed so far and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.1,50,000/- (Rupees one lakh and fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the court on whose orders the petitioner remains in custody.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

Nan/